



Order Filed on August 30, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)
SCURA, WIGFIELD, HEYER,
STEVENS & CAMMAROTA, LLP
1 Harmon Meadow Blvd. Suite 201
Secaucus, NJ 07094
Email: jromero@scura.com
Jamal J. Romero, Esq.
Attorneys for Debtor

In Re:

Christian G. Monne,

Debtor.

Case No.: 23-10870 (JKS)

Chapter 13

Judge: Hon. John K. Sherwood

CONSENT ORDER RESOLVING CREDITOR'S OBJECTION TO CONFIRMATION

The relief set forth on the following pages, numbered two (2), is hereby ORDERED.

DATED: August 30, 2023

A handwritten signature in black ink, appearing to read "J K Sherwood", written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

This matter opened to the Court by Christian Monne (the “Debtor”) upon the filing of a Chapter 13 Plan (the “Plan”), and AGSCO Corporation (the “Creditor”) (Debtor and Creditor collectively referred to as the “Parties”) having filed Proof-of Claim (“POC”) number 5 in the claims register of this case, which claim is based partially on a judgment docketed as a Statewide lien (the “Judgment”) and partially premised on unsatisfied settlement agreement dated on or about April 9, 2021 (the “Settlement Agreement”) entered into between the Parties in connection with the U.S. District Court Action, Case No. 2:20-cv-05720, (U.S. Dist. Ct., D.N.J.); and Creditor having objected to confirmation of the Plan and whereas the Parties hereto have resolved Creditor’s objection with the entry of this order, and the Court taking notice of the Parties’ consent to the relief provided herein, it is hereby **ORDERED**:

1. Proof-of Claim number 5 in the claims register of this case is bifurcated to an allowed secured claim in the amount of \$100,000 and an allowed General Unsecured Claim in the amount of \$40,000. Creditor shall file an amended POC in accordance with this order. Creditor’s allowed secured claim shall be paid in full pursuant to Part 4(g) of any chapter 13 plan confirmed in this Chapter 13 case.
2. Creditor’s General Unsecured Claim shall be paid in accordance with other General Unsecured Claims through the Plan.
3. Should Debtor fail to successfully complete this Chapter 13 Plan, and/or if this instant bankruptcy case is dismissed or is converted to any other chapter of the Bankruptcy Code, then the Parties shall be returned to the *status quo* as it existed prior to the filing of this instant bankruptcy case and the Creditor shall be free to pursue any remedies as

existed prior to such time, including, but not limited to, and to the extent permitted under applicable law, Creditor's right to collect its original Judgment and/or the total settlement amount pursuant to the Settlement Agreement, plus reasonable attorneys' fees and costs and less any payment(s) already made to Creditor.

4. In the event that this Chapter 13 Plan is modified or amended, Creditor reserves its right to object to any such modified or amended Chapter 13 plan and/or file an amended POC.
5. This Order will be incorporated in and become a part of any Order Confirming Plan in this case.

The undersigned consent to the form and entry of this order.

/s/ Jamal J. Romero
Jamal J. Romero, Esq.
Counsel to Debtor Christian Monne

/s/Marc D. Miceli
Marc D. Miceli, Esq.
Counsel to AGSCO Corporation

AGSCO CORPORATION

/s/Christian G. Monne
Christian G. Monne

By: /s/Ted Plonsker
Ted Plonsker, President

In re:
Christian G. Monne
Debtor

Case No. 23-10870-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Aug 31, 2023

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 02, 2023:

Recip ID	Recipient Name and Address
db	+ Christian G. Monne, 39 Graydon Terrace, Clifton, NJ 07013-3315

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 31, 2023 at the address(es) listed below:

Name	Email Address
David L. Stevens	on behalf of Debtor Christian G. Monne dstevens@scura.com ecfbkfilings@scuramealey.com;pevangelista@scura.com;amurphy@scura.com;vmajano@scura.com;jromero@scura.com;sduarte@scura.com;spereyra@scura.com;14518@notices.nextchapterbk.com;dwoody@scura.com
Denise E. Carlon	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Eamonn O'Hagan	on behalf of Creditor United States Internal Revenue Service eamonn.ohagan@usdoj.gov
Jamal J Romero	on behalf of Debtor Christian G. Monne jromero@scura.com dstevens@scura.com;ecfbkfilings@scuramealey.com;cmartinez@scura.com;vmajano@scura.com;rshah@scura.com;sduarte@scura.com;spereyra@scura.com;bramirez@scura.com;14799@notices.nextchapterbk.com

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Aug 31, 2023

Form ID: pdf903

Total Noticed: 1

Marc D. Miceli

on behalf of Creditor AGSCO Corporation mmiceli@sm-lawpc.com lindsay@sm-lawpc.com

Marie-Ann Greenberg

magecf@magtrustee.com

Matthew K. Fissel

on behalf of Creditor Wilmington Savings Fund Society FSB, not in its individual capacity but solely as trustee of MFA 20
wbef@brockandscott.com, matthew.fissel@brockandscott.com

Michael E. Holt

on behalf of Interested Party Charles M. Forman Chapter 7 Trustee for CGM & Daughters Corporation mholt@formanlaw.com,
kanema@formanlaw.com

Steven J. Mitnick

on behalf of Creditor AGSCO Corporation smitnick@sm-lawpc.com lindsay@sm-lawpc.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10